

CITY OF WOODCREEK, TEXAS

RESOLUTION 2023-07-12-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF ITS MEETINGS; AND REPEALING ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH.

WHEREAS the City of Woodcreek City Council (City Council) wishes to formally adopt rules of procedure for City Council meetings; and

WHEREAS provide clear, transparent, and comprehensive rules of procedure, which are vital to the efficient administration of City matters.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS:

SECTION 1. The following rules of procedure shall govern all meetings and proceedings of the City Council and the conduct of all members and other persons in attendance at such meetings.

DEFINITIONS

MAJORITY VOTE: Except when governed by specific rules to the contrary, a *majority vote* is the fundamental requirement to pass a motion. A *majority vote* simply stated, is *more than half*. And a majority vote refers to more than half of the votes actually cast, not more than half of the votes that could be cast if everybody voted.

TWO-THIRDS VOTE: As a means of balancing the rights of the entire group with the rights of individuals, some decisions require the affirmative consent of at least twice the number of members as are not in favor. This vote is called a *two-thirds* vote and refers to two-thirds of the votes cast.

ABSTENTION: A voting member present and choosing not to vote. Abstentions are not counted and are neither an AYE or a NAY, but will be listed in the minutes as 'abstain'.

Rule 1. Meetings, Regular and Special

(A) The City Council shall meet at Camp Young Judaea, Woodcreek City Hall or VFW Post 6441, depending on availability of each venue and anticipated citizen attendance. All such meetings shall be held on the second Wednesday of each month, commencing at 6:30p.m., with a second regular meeting held on the fourth Wednesday of each month at 3:00 pm, unless set for another time or date by resolution of the City Council. In the event a second Wednesday falls on a holiday, the meeting for that day shall be rescheduled as determined by Council by and through a resolution, Any meeting of Council may be recessed from hour to hour for a period not to exceed 24 hours, by an affirmative vote of four (4) or more voting members of the City Council present at such meeting, and such recessed meeting may be held without further posted notice in compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

(B) Special meetings may be held on the call of the Mayor or on the application of three (3) Councilmembers to the Mayor. The agenda items for such meetings shall be determined at the discretion of the person or persons calling the meeting.

(C) The Mayor and City Manager shall be responsible for compiling the agenda for all regular and special meetings. For regular meetings, members of the Governing Body of the City of Woodcreek or City Manager may request agenda items, and all such requested agenda items shall be accepted and placed on the agenda. If it becomes necessary to postpone placement of the requested item, the Mayor and City Manager must confer with the requesting Councilmember to obtain their agreement.

(D) Meetings will follow Robert's Rules of Order, as revised.

~~(E) City staff may approach any member of the Council, including the Mayor, with an item for Council to entertain, but that member of Council has discretion to place the item on the agenda. The member of Council then becomes the sponsor of that item once placed on the agenda.~~ The agenda will have a section called "city staff and/or city committee reports" for every ~~monthly~~ regular meeting. Each staff and/or committee member will be responsible for providing report documentation in the agenda packet.

Rule 2. Chairman and Call to Order

The Mayor, or in the Mayor's absence, the Mayor Pro Tern, shall preside at all meetings of the Council. If the Mayor and the Mayor Pro Tern are absent, the Mayor, or a majority of the Council, may appoint a Councilmember to preside. At the hour of the meeting, the Mayor shall call the Council to order, and the City Secretary shall record the roll.

Rule 3. Conduct of Mayor and Councilmembers

Any member of the Council, including the Mayor, who fails to observe decorous and orderly behavior during a meeting, or who disturbs a meeting of Council with such disorderly conduct, is subject to being expelled from such meeting upon motion passed by a two-thirds vote of the Council present at the meeting. Any member reprimanded by motion or expelled from a meeting by motion who commits another breach of decorous or disorderly behavior during a subsequent meeting shall be subject to a reprimand upon a motion approved by two-thirds of the Council present at the meeting. A Councilmember, upon a vote from two-thirds of Council present at the meeting, may be subject of a reprimand, complaint, or investigation.

Rule 4. Handling of Question of Order

All questions of order shall be decided by the presiding officer with the right of appeal such decision by the City Council. The majority of the Councilmembers present, through a motion, may overrule the decision of the presiding officer. When the presiding officer, rules on a point of order and one of the Councilmember states, "I appeal the ruling!" or words to such effect, no other business shall be transacted until a vote on the appeal is completed. The presiding officer shall immediately put such question to vote without debate, and, if not, any member of the Council may put the question to a vote.

Rule 5. Procedure for Submitting Agenda Items

For a regular council meeting, any and all ordinances, resolutions or other matters, including all written data and supporting documents, except emergency items, to be brought by the Mayor or by a member of the City Council for consideration, shall be submitted to the City Manager not later than 1:00p.m. of the Monday the week preceding the meeting at which the same is to be considered. Items shall identify the subject matter to be discussed with such notification in compliance with the Texas Open Meetings Act and provide the possible action the sponsor intends the City Council take during the

meeting, e.g., discussion, update, and/or take appropriate action. All items shall be accompanied by supporting documents intended to be considered by the City Council.

For special meetings, the member or members calling the meeting shall submit any and all ordinances, resolutions or other matters, including all written data and supporting documents to the City Manager not later than 1:00p.m. one week (7 days) before the scheduled special council meeting at which the same is to be considered. Items shall identify the subject matter to be discussed with such notification in compliance with the Texas Open Meetings Act and provide the possible action the sponsor intends the City Council take during the meeting] e.g., discussion, update, and/or take appropriate action. All items shall be accompanied by supporting documents intended to be considered by the City Council.

The name of the sponsor of the agenda item shall be listed with that item on the agenda. The sponsor of an item is given the opportunity to speak first about their item during discussion and speak last to that item.

Rule 6. Motion to Table

Since the Council has regularly scheduled meetings, a motion to table, when carried, does not permanently defeat an ordinance, resolution, motion, or other measure. Motions laid on the table are merely temporarily laid aside and may be taken from the table at any time. This motion is for the sole purpose of taking up more urgent business that requires the council or governing body's immediate attention. The motion to "Lay on the Table" is carried by majority vote and is not debatable or amendable and does not have interrupting privileges. Once tabled, the motion shall be on the next agenda, now listed under "Unfinished business." Council may not debate nor take any action that would affect the tabled question until a subsequent in-order motion to "Take from the Table" is moved, seconded, and carried. At the following Council meeting the chair will automatically bring up for consideration the Unfinished business before moving to the regular agenda. If the tabled motion continues to be 'tabled', after three months the motion dies.

The motion to "Lay on the Table" should not be confused with the motion to Postpone to a Certain Time or with the motion to Postpone Indefinitely. The purpose of these motions is to postpone or suspend debate on a question for reasons other than to consider more urgent business.

Rule 7. Closing of Debate

If, during debate upon any ordinance, resolution, motion or other matter before the Council, any member wishing to end debate, the member, after seeking and receiving recognition from the chair, may move to end debate, commonly called "question" or "calling the question." This motion requires a second. This motion is non-debatable. Immediately after the second, the chair takes the vote regarding the motion to end debate. It takes two-thirds of the voting members present in favor of ending debate to close discussion on the original motion being considered. If two-thirds of the voting members end the discussion, then the chair immediately takes a vote on the pending motion and any possible amendments to that motion without any further debate or discussion. Provided however, debate may not be closed until such time as each councilmember has been given opportunity to speak on the agenda item in an amount of time not to exceed three (3) minutes.

Rule 8. Citizens' Right to be Heard

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the City Council in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Councils attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information

given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.

Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda on which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for three (3) minutes per person and shall be allowed more time at the Mayor's discretion. In addition, citizens may pool their allotted speaking time. *To pool time, a speaker must present the names of three (3) individuals present in the audience who wish to yield their three minutes.* Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Codes 551.007(e).

Citizens may submit written public comments not exceeding 300 words in length to the City Secretary not later than 1:00p.m. of the Monday preceding the meeting at which the citizen would like the public comment received. If the written public comment is submitted by this time, it shall be read into the public record for the upcoming meeting.

Rule 9. Suspension of Rules of Procedure

Any of the rules of procedure may be suspended (by a two-thirds vote of the voting councilmembers present) to allow consideration of a matter unless doing so would violate the U.S. Constitution, Texas Constitution, and/or Federal or State Law.

Rule 10. Rules of Procedure

Except where in conflict with applicable law, the most recent version of Robert's Rules of Order shall govern the proceedings of the City Council.

SECTION 2. It is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 3. City of Woodcreek resolutions or parts of resolutions inconsistent or in conflict herein, ~~specifically Resolution No. 13-111302~~, are to the extent of such inconsistency or conflict, hereby repealed.

SECTION 4. This Resolution shall be effective immediately upon its passage.

Passed and approved, this, 12th day of July 2023 on a roll call vote of the City Council of Woodcreek, Texas.

City of Woodcreek:

Attest:

Jeff Rasco, Mayor

Suzanne Mac Kenzie